

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 25TH OCTOBER 2006 / 3RD KARTHIKA 1928

Bail Appl..No. 5640 of 2006()

C.R.NO.6/2006 OF EXCISE RANGE, ALUVA
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PETITIONERS

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1. RAJEEV, AGED 24 YEARS, (A1)
S/O.RAJAN, KALLUVILA VEEDU,
POOLANTHARA, SANTHIGIRI P.O.,
THIRUVANANTHAPURAM.
 2. BENCILY, AGED 24 YEARS (A2),
S/O.VARGHESE, MARIYA BHAVANAM,
CHANGAYIL, LAKSHAM VEEDU,
PULIYATHUNKARA, IITHIL, KOLLAM.

BY ADV. SRI.KRISHNADAS P. NAIR
SRI.HARIDAS P.NAIR
SMT.K.L.SREEKALA

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP.BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR, SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25/10/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.M.JAMES, J.

B.A. No. 5640 of 2006

Dated this the 25th day of October, 2006

O R D E R

The petitioners are accused Nos.1 and 2, in C.R.No.6/2006, of Excise Range, Aluva. It is alleged that the first accused was found in possession of 15.60 kgs of Ganja, together with Rs.2000/- and a mobile phone. The second accused was found in possession of 14.40 kgs of Ganja, together with a knife and Rs.10,600/- . The amount was hidden in their shoes. The petitioners were arrested on 14/05/2006. On interrogation, they have disclosed that they have carried the Ganja, weighing 30 kgs, for handing over the same to the third accused, who is having number of similar cases, registered against him. The name of Prasannan, accused No.4, was also disclosed by the arrested accused 1 and 2. They have carried the ganja from Vishakapattanam. They are in judicial custody, immediately on their arrest, as remanded by the court below. Hence, this application for bail. There is no much progress in the investigation of the matter, after the last few posting dates of

this case.

2. The counsel for the petitioners submits that, considering the period of judicial detention and the stage of the investigation, the petitioners may be released on bail. The petitioners are in judicial custody for the last 164 days.

3. In the circumstances of this case and considering the stage of the investigation, I grant bail to the petitioners and release them from jail, imposing the following conditions:-

i. Each petitioner shall execute a bond for Rs.50,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the court below.

ii. The petitioners shall report before the Investigating Officer, once in a week, on every Saturday, between 10 a.m and 11 a.m, for a period of six months, starting from 28/10/2006 and thereafter, on the first working day of every month, between the same timings, till the completion of the trial and final disposal

of the sessions case.

iii. The petitioners shall not leave the State of Kerala, till the completion of the trial and final disposal of the sessions case.

(J.M.JAMES)
Judge

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